



Rec'd PGT/PTO

21 JUL 2005 10:50:55

PTO/SB/01 (08-03)

Approved for use through 07/31/2008. OMB 0851-0032
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
 DESIGN
 PATENT APPLICATION
 (37 CFR 1.63)**

☒ Declaration Submitted With Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

| | |
|------------------------|---------------|
| Attorney Docket Number | P01105-US |
| First Named Inventor | Howarth et al |
| COMPLETE IF KNOWN | |
| Application Number | 10507455 |
| Filing Date | 12 March 2003 |
| Art Unit | |
| Examiner Name | |

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**IMPROVEMENT IN OR RELATING TO APPARATUS FOR THE ASSESSMENT
 OF THE CONDITION OF FRUIT AND VEGETABLES**

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **12 March 2003** as United States Application Number or PCT International

Application Number **10507455** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|-------------------------------------|
| | | | | Yes | No |
| 0205667.9 | GB | 03/12/2002 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

10/5107455

Rec'd PCT/PTO 21 JUL 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DECLARATION — Utility or Design Patent Application

| | |
|---|---------------------------|
| Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <u>3017</u> OR <input type="checkbox"/> Correspondence address below | |
| Name | |
| Address | |
| City | |
| State | |
| ZIP | |
| Country | Telephone |
| Fax | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | |
| NAME OF SOLE OR FIRST INVENTOR: | |
| <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | Family Name or Surname |
| <u>Matthew Scott</u> | <u>Howarth</u> |
| Inventor's Signature | Date |
| <i>[Signature]</i> | <u>June 2, 2005</u> |
| Residence: City | State |
| <u>Clovis</u> | <u>CA</u> |
| Country | Citizenship |
| <u>U.S.A.</u> | <u>U.S.A.</u> |
| Mailing Address <u>1054 North Coventury Avenue</u> | |
| City | State |
| <u>Clovis</u> | <u>California</u> |
| ZIP | Country |
| <u>93611</u> | <u>U.S.A.</u> |
| NAME OF SECOND INVENTOR: | |
| <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | Family Name or Surname |
| <u>Richard</u> | <u>Allen</u> |
| Inventor's Signature | Date |
| <i>[Signature]</i> | <u>28-06-2005</u> |
| Residence: City | State |
| <u>Norwich</u> | <u>GB</u> |
| Country | Citizenship |
| <u>GB</u> | <u>GB</u> |
| Mailing Address <u>11 The Willows</u> | |
| City | State |
| <u>Norwich</u> | <u>GB</u> |
| ZIP | Country |
| <u>NR2 4GW</u> | <u>GB</u> |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto. | |

[Page 2 of 2]

BEST AVAILABLE COPY